



C i t y o f A r l i n g t o n

# 2013 State Legislative Agenda







(Back row left to right) Robert Shepard, District 6, At-Large; Jimmy Bennett, District 7, At-Large; Robert Rivera, District 3; Robert N. Cluck, Mayor; Kathryn Wilemon, District 4, Mayor Pro Tempore; Michael Glaspie, District 8, At-Large; Charlie Parker, District 1. (Front row left to right) Lana Wolff, District 5; Sheri Capehart, District 2;.



“The Arlington City Council is ready to work in partnership with the elected officials who represent us in Austin. We appreciate their efforts to partner with us in order to help Arlington move forward towards greater success for our community and economy.”

- Mayor Robert N. Cluck



## General Statement of City Legislative Focus

As a general policy, the City of Arlington seeks to preserve its current authority to govern the city, its citizens, and its property. The City will oppose any legislation viewed as detrimental to the City's strategic goals; or that is contrary to the health, safety, and welfare of its citizens; or that mandates increased costs or loss of revenues; or that would diminish the fundamental authority of the City.



The City will support initiatives that preserve municipal authority or that otherwise have a positive impact on municipal operations, including but not limited to legislation that would:

1. Maintain municipal authority,
2. Eliminate or reduce the impact of unfunded mandates,
3. Improve public safety, or
4. Preserve local control over municipal revenue streams

The City will specifically oppose initiatives that undermine the local control of cities such as:

1. Amendments to the regulatory takings statute,
2. Limitations on the ability of cities to issue debt,
3. Reductions in the current authority of cities to regulate urban gas well drilling,
4. Restrictions on the right of way rental fees,
5. Creation of revenue caps for local governments,
6. Mandatory water conservation measures, and
7. Limitations on the current economic development tools available to local governments.

### FORMATION OF COALITIONS

The City will form strategic partnerships with cities, political subdivisions, and private sector entities that share common goals with the City of Arlington. Additionally, the City will work in coordination with organizations such as the Texas Municipal League when its adopted positions are in line with the legislative objectives and goals of the City. The formation of strategic partnerships and coordinated efforts is intended to provide the City with a stronger presence in the legislative process.



## City Initiatives

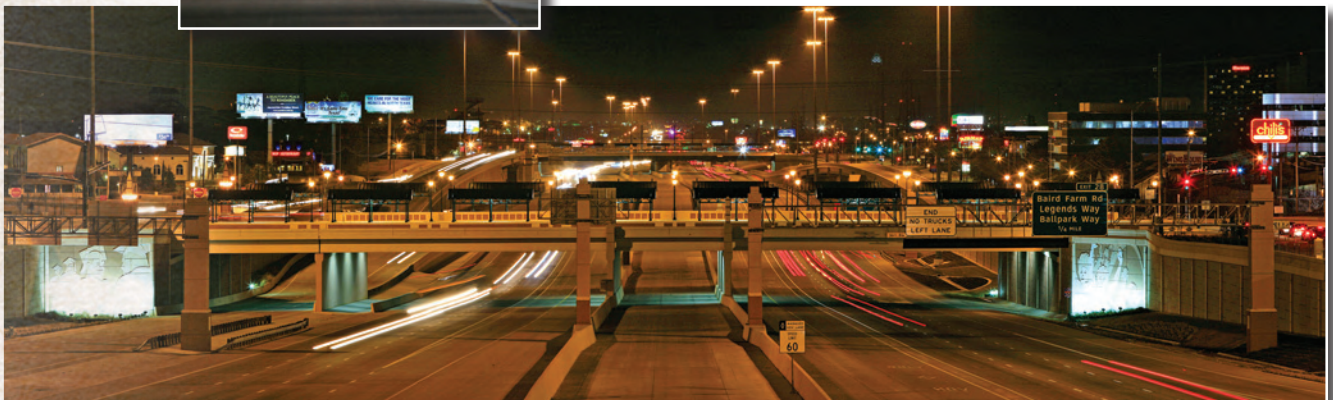
**Open and transparent government** - The City of Arlington places a high priority on an open and transparent government. The Arlington City Council actively seeks, solicits



and utilizes input from Arlington citizens in its decision-making processes, particularly the budget setting process. This year, the City produced both a video describing the proposed budget and an interactive application allowing residents to view the foundational information that supports the City's budget. The Arlington City Council appreciates the traditional Texas model of local control over local government, believing that voters are able to elect local officials who share their values and priorities.



**Transportation**- The City of Arlington believes that the ability of North Texas region to work cooperatively is essential to the viability of this community and that of the entire region. A primary element of regional cooperation is a transportation system that seamlessly allows movement of people and goods throughout the area. As a member of the thriving North Texas region, the City of Arlington is committed to finding transportation solutions to facilitate movement to, from and through Arlington and the surrounding area. As part of its effort to advance this initiative, the City will support legislation that establishes a funding mechanism for regional transit initiatives.





**Drinking and Driving**— Texas leads the nation in alcohol-related traffic fatalities. Arlington seeks to find additional tools to offer to law enforcement organizations to fight this deadly trend.



**Sobriety checkpoints** – While the United States Supreme Court has held that sobriety checkpoints are legal, they are not permissible in Texas because the State has not adopted guidelines governing the proper conduct of the checkpoints. Sobriety checkpoints are currently allowed in 40 states and the District of Columbia. Texas has the highest total number of alcohol related fatalities in the nation and the highest number of fatalities in alcohol-related driving crashes with alcohol blood levels twice the legal limit. An overview provided by the Texas Transportation Institute in 2008 found that sobriety checkpoints reduce drunk-driving crashes by 20% and drunk-driving fatalities by up to 26%. The City of Arlington currently utilizes Data Driven Approaches to Crime and Traffic Safety (DDACTS) tools to provide objective crash and fatality

information allowing us to effectively place our resources to ensure driver safety. This tool can be expanded to determine fact-based locations for sobriety checkpoints while also mitigating potential civil rights infringement associated with sobriety checkpoints.

**Ignition interlock devices** – Texas currently permits the inclusion of the installation of an ignition interlock device as a part of a sentence for driving under the influence of alcohol. The devices are mounted on the dashboard and require a clean breath sample to start the car and periodically throughout the trip. Approximately ten states include the devices at some point in the sentences for one or repeated DUI convictions. In particular, Kansas, which requires installation after the first conviction, saw a reduction in DUI fatalities of over 50% in the first year that the law was in effect. The City of Arlington supports required ignition installation for first offenders and other similar tools to help reduce drunk-driving fatalities in Texas.



**Water Planning** – Arlington has worked with its water supplier, the Tarrant Regional Water District (TRWD) to ensure that it has adequate water supply through 2060. The Council takes action when requested by TRWD to restrict the use of water by its residents as needed to ensure an adequate supply. The City supports the continued designation of unique reservoirs sites as established in the Texas Water Development Board's Statewide Water Plan and enacted by S.B. 3 (80th Texas Legislature). While the City supports the State Water Plan, it opposes legislation that seeks to implement a State tax, fee or surcharge on residential or commercial water utility bills because of the inequities it creates among the State's water users. Additionally, the City believes that any revenue generated to fund the State Water Plan should be spent in the region in which it was collected.

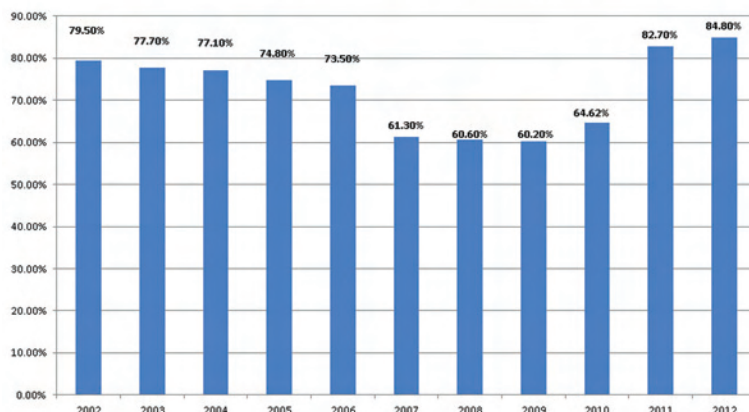




**Texas Municipal Retirement System** - The City of Arlington is a member of the Texas

Municipal Retirement System (TMRS). As a part of TMRS, the City is able to provide a retirement package in which the needs of retired employees are balanced with the needs of taxpayers.

Because of its participation in TMRS, the City does not participate in the Social Security system. Due to careful planning by the City Council and changes enacted by the 82nd Legislature, Arlington's retirement system is over 82% funded. The City believes the current TMRS system is operating to the satisfaction of taxpayers, local elected officials, retirees, city management and employees. We encourage the maintenance of the local control provided by this system which allows individual city councils to make determinations about benefit levels which suit the communities they serve.

**TMRS Funded Percentage****Average Arlington Retiree Payout**

	Base Retirement	Additional Benefit (401K)	Total
Arlington Employee*	\$2,282	\$352	\$2,634
Private Sector Employee	\$1,164	\$625	\$1,789

\*Retirees without qualifying quarters in Social Security do not receive Social Security benefits.

**Major Event Trust Fund Preservation and Expansion** - Hosting events with national and worldwide acclaim benefits the communities in which they are held as well as the region and State. The exposure these events bring can boost both tourism and economic development prospects. The Major Event Trust Fund is a unique economic



development tool which provides assistance to the local governments with game-related expenses to enable them to host these events. By utilizing the local and State portion of the additional sales tax earned by these events to support event logistics, Texas brings new dollars to businesses that serve those attending the events. The City supports both the maintenance of the current Event Trust Fund opportunities as well as the possible expansion of the list of events to include those that will have a future impact on local and regional economies, such as the NCAA football playoffs set to begin in 2014.

**Homeless Housing and Services Program** - For the past four years, the City of Arlington, along with other large Texas cities, received additional funding from the State to provide services for our community's homeless population including outreach services to the chronically homeless, case management services and tenant-based rental assistance. The City of Arlington strongly supports a continuation of this funding stream to help the State combat its homelessness problem.

<b>City of Arlington, Texas Financial Resources for Homelessness FY2012</b>		
	Expenditures	Clients Served
Texas (HHSP)	\$198,820	75
Federal and Other	\$1,477,877	3,026
Total	\$1,676,697	3,101



**Travel & Tourism** - Travel and tourism play an important role in the Arlington economy. Because of this, Arlington supports the continued maintenance of the uniform school start date for the State. This standardization generates millions of additional dollars in economic activity, including additional proceeds for Texas businesses, jobs for Texas citizens and tax revenues for State and local governments.



The City also supports continued funding of the Governor's Division of Economic Development and Tourism. One twelfth of State hotel occupancy tax revenue is dedicated for State tourism promotion. This investment allows the Governor's Office to advertise and promote Texas as a travel destination which helps all Texas travel and tourism destinations

**Local Elections** - During the 82nd Session, the Legislature passed SB 100 which removed the requirement that County Election Departments work with local governments to conduct General Elections in May of even years due. This change was enacted to ensure that members of the military and others had adequate time to return overseas absentee ballots for federal elections occurring in even years.

In practice, many county election departments, including Tarrant County, were able to easily accommodate the needs of both elections in 2012, perhaps the most challenging election year to date due to delayed primary elections. Because of this, the City would like to see language requiring county election departments to conduct all local government elections reinstated. This would allow cities the ability to depend on future elections resting in the capable hands of county elections departments instead of, having to check every two years with their elections department to see if the county will agree to conduct the next even year election. This leaves cities in the position of continually having to anticipate either an outlay of funds to purchase their own elections equipment or a charter election to change Council terms.





**Public Safety Initiatives -**

**Synthetic drugs** - During the 82nd Legislative Session, lawmakers drafted and passed legislation to make illegal the then formulations of synthetic marijuana (K-2) and cocaine (bath salts). Since that time, makers of these illegal drug-mimicking compounds have changed their formulas, leading



to problems prosecuting cases. The City supports legislation that allows a State agency, with appropriate statutory guidelines, to expand the list of prohibited



substances.

**Front license plate penalty**

- Texas law requires that all motor vehicles have a license plate displayed on both the front and back of the vehicle. However, because there is no



penalty for not having a front license plate enforcement capabilities are extremely limited. The City of Arlington seeks to change current law to provide a penalty for this violation.



## Support Quality Education

**K-12 Education** - The Arlington City Council has set a priority for Fiscal Year 2013 to support quality education. As a part of this effort, it is collaborating to support the legislative interests of the educational institutions which operate in Arlington; Arlington, Kennedale and Mansfield ISDs; Tarrant County College; and UT-Arlington. Additionally, the City is seeking ways in which it can support learning experiences outside of the classroom through resources like libraries. The City supports adequate funding for public schools and a testing and accountability system which allows for classroom creativity, paths for students to both college and career, and a more nuanced system for campus and district achievement ratings.



**Higher Education** - Arlington is proud of its higher educational opportunities, the Southeast Campus of Tarrant County College and UT-Arlington. The success of these institutions brings direct economic and cultural benefits to the Arlington community, the Metroplex and the State. Because of this, the City supports the funding of the Skills

Development Fund, the Texas Competitive Knowledge Fund, the Research University Development Fund and the Texas Research Incentive Program.



**City Initiatives** – The City's Library Department periodically receives funding through the Texas State Library and Archives Commission which is available to fund online homework help, college assistance and workforce development. In an effort to continue offering these opportunities, the City supports the Commission's requests for \$9.25 M for E-Content Learning Resources, and \$3.4 M in incentive grants for Increasing Literacy and Educational Success.







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